

**MINUTES**  
**SANDY CITY COUNCIL MEETING**  
Sandy City Hall - Council Chamber Room #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**May 6, 2008**

**Meeting was commenced at 7:00 p.m.**

**PRESENT:**

**Council Members:** Chairman Chris McCandless, Vice Chairman Scott Cowdell, Bryant Anderson, Steve Fairbanks, Linda Martinez Saville, Stephen Smith, and Dennis Tenney

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; Assistant Chief Administrative Officer Scott Bond; Assistant to the Chief Administrative Officer Korbin Lee; City Attorney Walter Miller; Community Development Director Mike Coulam; Planning Director James Sorensen; Director of Human Resources & Management Services Brian Kelley; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Police Chief Stephen Chapman; Police Captain Warren Jefferies; Fire Chief Don Chase; Parks & Recreation Director Nancy Shay; Council Office Director Phil Glenn; Council Office Manager Pam Lehman

**ABSENT/EXCUSED:**

**Councilman Steve Fairbanks** [recovering from knee surgery]

**1. OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by **Boy Scout Austin Saville**, and the Pledge was led by **David Botham**.

**2. CITIZEN(S) COMMENTS:**

a. There were no citizen comments.

**COUNCIL ITEM(S):**

- 3. Appointment to the Sandy City Planning Commission (Alternate Member Cheri Burdick)**  
**Resolution # 08-07M** – appointing an Alternate Member to the Sandy City Planning Commission.

**Motion:** Steve Smith made the motion to adopt **Resolution #08-07M**, appointing Cheri Burdick as an alternate member to the Sandy City Planning Commission to fill a term ending **March 31, 2012**.

**Second:** Linda Martinez Saville

**Vote:** Smith – Yes, Saville – Yes, Anderson- Yes, Fairbanks- Excused, Cowdell- Yes, Tenney- Yes, McCandless- Yes

**Motion Approved: 6 in favor- 1 excused**

**PUBLIC HEARING(S):**

**4. Funk Annexation**

A Public Hearing to consider the annexation of property located at approximately 10253 South Dimple Dell Road. The area under consideration for annexation comprises approximately 1.69 acres. It is being proposed to annex this property to the City with the R-1-20A Zone (single family residential on a minimum 20,000 square foot lot). The Planning Commission and City Council may consider approving a density that is higher or lower than the proposed R-1-20A Zone. The intent of the requested annexation and zoning is to accommodate a proposed three lot subdivision. This will include two new dwellings and one existing dwelling. The subdivision is proposed to be accessed from Dimple Dell Road.

**Discussion:** Planning Director James Sorensen reported that Pamela Funk is requesting annexation for property located at 10253 South Dimple Dell Road. The area under consideration for annexation comprises approximately 1.69 acres. The applicant is proposing to annex this property to the City and is requesting the R-1-20A Zone (single family residential on a minimum of 20,000 square foot lots with animal rights). The intent of the request is to accommodate a proposed three lot subdivision. This would include two new dwellings and one existing dwelling. The new lots are proposed to be accessed from Dimple Dell Road.

The subject property is bordered on the north and south by large lot properties in Salt Lake County, on the east by the Boulders Subdivision in Sandy City, and on the west by large lot properties across Dimple Dell Road in Salt Lake County.

**ANALYSIS**

The annexation is being considered by the City for the following reasons:

1. The area is **contiguous** to the Sandy City boundary (east).
2. The property is located within an area designated in the **Sandy City General Plan** for incorporation.
3. The City is presently providing culinary **water service** and **fire service** to this area.
4. The City can provide a high level of other **municipal services** to this property.

### **General Plan**

Portions of the **Sandy City General Plan** which relate to this application are as follows:

p.43 *Recognize that economics alone is not sufficient reason to alter established neighborhoods. Human and environmental impacts also should be recognized.*

p.44 *Require proposed zoning changes to be in harmony with established neighborhoods.*

### **Zoning**

The subject property is currently zoned R-1-21 in Salt Lake County. This zone allow single family dwellings on minimum 21,780 square foot lots with animal rights. Currently in Salt Lake County four horses are allowed per half acre.

The existing City zoning in the area includes R-1-40A to the south, and to the west is R-1-20. The requested zoning for the subject property is R-1-20A. The lots for the proposed three lot subdivision would need to comply with the 20,000 square foot minimum requirement for a standard subdivision and may also be subject to the requirements of the Sensitive Area Over-lay Zone. Review and approval of the proposed three lot subdivision will be subject to the City Council review and adoption of the annexation request.

### **STAFF RECOMMENDATION**

It is recommended that the Funk Annexation be approved and zoned R-1-20A based upon the following findings:

1. The area is **contiguous** to the Sandy City boundary (east).
2. The property is located within an area designated in the **Sandy City General Plan** for incorporation.
3. The City is presently providing culinary **water service** and **fire service** to this area.
4. The City can provide a high level of other **municipal services** to this property.
5. R-1-20A Zone is appropriate for the property based upon surrounding zoning and land uses.

### Funk Annexation

<u>Property Owner</u>	<u>Sidwell Number</u>	<u>Taxable Value</u>	<u>Acres</u>
Pamela Funk	28-14-127-044	\$714,290	1.69

**Legal Description:** Beginning at a point on the quarter section line and current Sandy City boundary established by annexation approved September 3, 1996, the recorded plat of which may be found as Entry No.6531818 in Book 96-12P of Plats at Page 418 in the office of the Salt Lake County Recorder, said point being South 0°36'52" West 390.35 feet along said quarter section line from the North Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian, said point of beginning also being East 186.76 feet to the quarter section line and North 0°36'52" East 700.99 feet along said quarter section line from a street monument found at the center of cul-de-sac Dimple Dell Circle, and running;  
thence South 0°36'52" West 101.35 feet along said quarter section line and current Sandy City boundary;  
thence departing from said current Sandy City boundary, North 89°30'18" West 215.00 feet;  
thence North 89°23'08" West 260.51 feet;  
thence North 1°25'08" West 202.70 feet;  
thence South 89°23'08" East 252.50 feet;  
thence South 0°36'52" West 100.77 feet, (101.35 feet, Deed);  
thence South 89°23'08" East 230.20 feet, (230.00 feet, Deed) to the point of beginning. The above described parcel and land contains approximately 73,807 square feet in area or 1.69 acres.

**Mr. Sorensen** read a letter from the Salt Lake County Council, through Nicole Adams Dunn, of the Mayor's Office, requesting that the letter be read into the record opposing the Funk Annexation which is attached as **Exhibit "A"** to the minutes.

**Pam Funk**, Applicant, expressed appreciation for the Council's time to hear her request. She indicated that they are planning on building a home behind an older home that currently exists on the property.

**Steve Smith** asked Mrs. Funk if they have had any of their neighbors express opposition to the annexation.

**Mrs. Funk** reported that they originally applied to the County for their permits, but were referred back to Sandy City by the County since Sandy provides the services to their property. It was their understanding that Sandy and the County have agreed that properties receiving services from the City should be annexed into the City. They have talked with their neighbors to the north and south of them and no one has expressed opposition. She indicated that she can understand the hesitation of the Granite Community due to their concerns, and also hearing that the taxes of individuals annexing will increase if they annex into the City.

**Bryant Anderson** stated that people have a "huge" misconception regarding Sandy City and Salt Lake County taxes. The County and City taxes are virtually the same, and in some cases even lower.

**As there were no further comments, Chairman McCandless closed the Public Hearing.**

**Dennis Tenney** commented that he felt it would be appropriate for the Planning Department to respond to the County's letter explaining the City's annexation policies. Sandy City does not have an aggressive annexation policy, and the City only responds to individuals who request annexation and whose properties are contiguous to the City's boundaries, and where City services are being provided.

**Motion:** **Dennis Tenney** made the motion to have documents brought back to accept the Funk Annexation, located at approximately 10253 South Dimple Dell Road comprising of approximately 1.69 acres, and to annex the property with the R-1-20A Zone (single family residential on a minimum 20,000 square foot lot) as recommended by Staff and the Planning Commission.

**Second:** **Steve Smith**

**Vote:** **Tenney- Yes, Smith - Yes, Anderson- Yes, Fairbanks- Excused, Saville- Yes, Cowdell- Yes, McCandless- Yes**

**Motion Approved: 6 in favor - 1 excused.**

**COUNCIL ITEM(S):**

**5. National Public Works Week**

**Resolution #08- 34 C** - designating May 18-24, 2008 as National Public Works Week.

**Motion:** **Steve Smith** made the motion to adopt **Resolution #08- 34 C**, designating May 18-24, 2008 as National Public Works Week.

**Second:** **Dennis Tenney**

**Vote:** **Smith - Yes, Tenney- Yes, Cowdell- Yes, Anderson- Yes, Fairbanks- Absent, Saville- Yes, McCandless- Yes**

**Motion Approved: 6 in favor- 1 excused**

**6. Storm Water Management Plan Ordinance**

Ordinance # 08-16 - amending the Storm Water Management Plan which is a Sub-element to the City's General Plan, and providing an effective date.

**Motion:** **Bryant Anderson** made the motion to adopt **Ordinance #08-16**, amending the Storm Water Management Plan which is a Sub-element to the City's General Plan, and providing an effective date.

**Second:** **Dennis Tenney**

**Vote:** **Anderson-Yes, Tenney- Yes, Saville- Yes, Smith - Yes, Fairbanks- Absent, Cowdell- Yes, McCandless- Yes**

**Motion Approved: 6 in favor- 1 excused**

**7. Open Space Zone – Dimple Dell Regional Park Ordinance**

**Ordinance # 08- 17-** amending Title 15 of the revised Ordinances of Sandy City (The Land Development Code) by amending Section 15-29-34, "SD(OS) Open Space Zone – dimple Dell Regional Park"; also providing a saving clause and effective date for the Ordinance.

**Motion:** **Dennis Tenney** made the motion to adopt **Ordinance # 08- 17**, amending Title 15 of the revised Ordinances of Sandy City (The Land Development Code) by amending Section 15-29-34, "SD(OS) Open Space Zone – dimple Dell Regional Park"; also providing a saving clause and effective date for the Ordinance

**Second:** **Steve Smith**

**Vote:** **Tenney- Yes, Smith – Yes, Anderson- Yes, Fairbanks- Excused, Cowdell- Yes, Saville- Yes, McCandless- Yes**

**Motion Approved: 6 in favor- 1 excused**

**8. Location and Minimum Setbacks for Monopoles Ordinance**

**Ordinance #08-18 –** Amending Title 15 of the revised Ordinances of Sandy City (The Land Development Code) by amending Section 15-12-02 (H)(4)(c) "Location and Minimum Setbacks for Monopoles"; also providing a saving clause and effective date for the Ordinance.

**Motion:** **Scott Cowdell** made the motion to adopt **Ordinance #08-18 –** Amending Title 15 of the revised Ordinances of Sandy City (The Land Development Code) by amending Section 15-12-02 (H)(4)(c) "Location and Minimum Setbacks for Monopoles"; also providing a saving clause and effective date for the Ordinance.

**Second:** **Linda Martinez Saville**

**Vote:** **Cowdell- Yes, Saville- Yes, Smith – Yes, Anderson- Yes, Fairbanks- Excused, Tenney- Yes, McCandless- Yes**

**Motion Approved: 6 in favor – 1 excused**

**9. General Plan Amendment –Government Center Plaza Master Plan Ordinance**

**Ordinance # 08-15 –** amending the Sandy City Government Center Plaza Master Plan which is a Sub-element to the City's General Plan; and providing an effective date.

**Motion:** **Scott Cowdell** made the motion to adopt Ordinance #08-15, amending the Sandy City Government Center Plaza Master Plan which is a Sub-element to the City's General Plan; and providing an effective date.

**Second:** **Dennis Tenney**

**Vote:** **Cowdell- Yes, Tenney- Yes, Saville- Yes, Anderson – Yes, Smith – Yes, Fairbanks- Excused, McCandless- Yes,**

**Motion Approved: 6 in favor – 1 excused**

**10. MAYOR'S REPORT**

**a. No Report was given**

**11. CAO'S REPORT**

**a. No Report was given.**

**12. COUNCIL OFFICE DIRECTOR'S REPORT**

**a. No Report was given.**

**13. OTHER COUNCIL BUSINESS**

**a. No business was reported**

\*\* At approximately 7:22 p.m., **Steve Smith** made the motion to adjourn City Council and reconvene into Planning Meeting; motion seconded by **Dennis Tenney**, with an affirmative to the motion by the Council.

**\*\*\* Adjourn and Reconvene into Planning Meeting\*\*\*  
Budget Presentations**

**The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.**

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**Chris McCandless**  
**Council Chairman**

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**Pam Lehman**  
**Council Office Manager**

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